

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

MOTION TO ADJOURN

On motion of Senator Brooks, the Senate at 11:32 a.m. agreed to adjourn, upon the completion of signing bills, until 11:00 a.m. Tuesday, May 29, 1990.

BILL SIGNED

The President announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill:

H.B. 129

MEMORIAL RESOLUTION

S.R. 105 - By Glasgow: In memory of DeAnna Kay Supercinski.

WELCOME AND CONGRATULATORY RESOLUTIONS

H.C.R. 9 - (Johnson): Inviting the people of the Republic of Ghana to join Texas in friendship and commerce.

H.C.R. 27 - (Krier): Extending welcome to Ginger Sullivan.

S.R. 103 - By Glasgow: Extending congratulations to Thomas Chance on his graduation from the Texas School for the Deaf.

S.R. 104 - By Glasgow: Extending congratulations to Michael Green, Jr., on his graduation from the Texas School for the Deaf.

S.R. 106 - By Glasgow: Extending congratulations to Mr. and Mrs. Howard Smith on their 50th wedding anniversary with best wishes for many more years of continued happiness.

S.R. 107 - By Tejeda: Commending Father Manuel Cortez Roman for his devotion to Christ's kingdom on earth.

ADJOURNMENT

The President at 12:01 p.m. announced that the Senate would, in accordance to a previously adopted motion, stand adjourned until 11:00 a.m. Tuesday, May 29, 1990.

SEVENTH DAY

(Tuesday, May 29, 1990)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Ellis, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, McFarland, Montford, Parker, Ratliff, Sims, Tejeda, Uribe, Zaffirini.

Absent-excused: Lyon, Parmer, Santiesteban, Truan, Whitmire.

A quorum was announced present.

Doug Richnow, former staff member of Senator Zaffirini and now attending the Virginia Theological Seminary in Alexandria, offered the invocation as follows:

Most Heavenly Father, we ask Your blessings on this body here assembled, and pray that You will be present, through Your Holy Spirit, with these men and women. We give thanks for all the blessings You have given to this great State and for the dedicated leaders who have given of their time and talents to make its resources available to all its citizens.

Guide them now in their deliberations as they seek to find fair and equitable solutions to the problems facing our State. Make them aware that all our resources, sometimes abundant, sometimes meager, come from Your divine hand; that they are merely stewards of those resources; and that they should seek Your guidance and Your will in all their decisions.

We ask these things in the name of Your most precious Son, our Savior, Jesus Christ.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 25, 1990, was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senators Lyon, Parmer, Santiesteban, Truan and Whitmire were granted leave of absence for today on account of important business on motion of Senator Brooks.

MESSAGE FROM THE HOUSE

House Chamber
May 29, 1990

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 29, In memory of State Trooper Glen Perkins.

S.B. 35, Relating to the Pecos River compact program and account; making an appropriation.

H.B. 24, Relating to the board of directors of the Nolan County Hospital District.

S.C.R. 11, Congratulating Coach Dan Sloan, Coach Jim Edwards, and the members of the Munday High School track teams.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

RESOLUTIONS SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolutions:

H.C.R. 9

H.C.R. 27

HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

H.B. 24, To Committee on Health and Human Services.

REPORT OF STANDING COMMITTEE

Senator Edwards submitted the following report for the Committee on Nominations:

We, your Committee on Nominations, to which were referred the attached appointments, have had same under consideration, and report them back to the Senate for final consideration.

To be Members of the TEXAS AIR CONTROL BOARD: Dr. Calvin B. Parnell, Brazos County; William H. Quortrup, Collin County; Warren H. Roberts, Tarrant County.

To be a Member of the STATE PROPERTY TAX BOARD: Jim N. Nugent, Potter County.

To be Members of the BOARD OF PARDONS AND PAROLES: Hubert E. Bechtol, Travis County; Ken Casner, McLennan County; Kenneth N. Coleman, Walker County; Daniel L. Downs, Harris County; Frank Charles Eikenburg, Dallas County; Bennie L. Elmore, Walker County; John Escobedo, Walker County; Troy G. Fox, Williamson County; Gerald L. Garrett, Brazoria County; Mrs. Gloria Gibney, Nueces County; Ron D. Givens, Lubbock County; Dr. James H. Granberry, Lubbock County; Henry B. Keene, Dallas County; Mrs. Peggy McAdams, Walker County; Mrs. Winona Wilson Miles, Travis County; Stennett D. Posey, Williamson County; Donn D. Woolery, Randall County; Dr. Esther Lee Yao, Harris County.

To be Members of the TEXAS COMMISSION ON ALCOHOL AND DRUG ABUSE: Mrs. Mary Lou Parsons, Ector County; Rev. Joe Samuel Ratliff, Harris County.

To be Members of the TEXAS COMMISSION ON JAIL STANDARDS: Kenneth W. Anderson, Jr., Dallas County; Judge Roy English, Tarrant County; J. David Nelson, Lubbock County; Mrs. Florence Donald Shapiro, Collin County.

To be Members of the BOARD OF DIRECTORS, TRINITY RIVER AUTHORITY OF TEXAS: William D. Elliott, Dallas County; Robert D. Hardy, Jr., Walker County; Robert A. Estrada, Dallas County; Mrs. Erma Chansler Johnson, Tarrant County; Maurice Lee Locke, Liberty County; C. L. McCuiston, Jr., Kaufman County.

To be Members of the TEXAS DEPARTMENT OF LICENSING AND REGULATION BOARD: Mrs. Marjorie Meyer Arsht, Harris County; Paul J. Corkery, Tarrant County; Mrs. Johnnye Davis, Ector County; Manuel Marrufo, El Paso County; Acie O. Phillips, Jr., Fort Bend County; Earl L. Yeakel III, Travis County.

To be Members of the ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL: Daniel Edward Beckett, Travis County; James Edward Blackwell, Travis County; Dr. B. L. Carlile, Brazos County; Richard Thomas Fraser, Travis County; Mark V. Lowry, Wharton County; Robert L. Morriss, Williamson County; Tom Tiner, Travis County.

To be a Member of the BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING AIDS: Dr. Richard L. Riess, Brazos County.

To be Members of the EDUCATIONAL EXCELLENCE COMMITTEE: Edward B. Adams, Travis County; Ms. Brenda F. Arnett, Harris County; Jake Brisbin, Jr., Presidio County; Mrs. Norma Y. Cardenas, Hidalgo County; Mrs. Patti Clapp, Dallas County; Jack Fields, Sr., Humble County; Mrs. Ethel P. Jones, Bowie

County; David B. Keith, Harris County; Mrs. Nancy Ann Brown Loeffler, Mason County; Dr. Dan Frank Long, Williamson County; Roger C. Minard, Travis County; Dr. Winston C. Power, Jr., Dallas County; Donald Reynolds, Madison County; Mrs. Glenda Smith, Travis County; Larry J. Ward, Dallas County.

CAPITOL PHYSICIAN

Senator Armbrister was recognized and presented Dr. Barbara Conner of Hallettsville.

Dr. Conner, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for her service today.

SENATE RULE 11.11 SUSPENDED

On motion of Senator Brooks and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Health and Human Services might consider H.B. 24 upon recess today.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas
May 29, 1990

TO THE SENATE OF THE SEVENTY-FIRST LEGISLATURE,
FIFTH CALLED SESSION:

On May 7, 1990, I nominated Mr. Elvin Lee Caraway of Fort Worth for appointment to the Agricultural Resources Protection Authority for a term to expire February 1, 1991. Mr. Caraway has asked that his name be withdrawn; therefore, I request that the Senate return this appointment to me.

On August 21, 1989, I nominated Mr. Fred Asmussen III of Athens for appointment to the Trinity River Authority Board of Directors for a term to expire March 15, 1995. Mr. Asmussen is ineligible; therefore, I request that the Senate return this appointment to me.

Respectfully submitted,
/s/W. P. Clements, Jr.
William P. Clements, Jr.
Governor of Texas

NOMINATIONS RETURNED

On motion of Senator Edwards and by unanimous consent, the Senate granted the request of the Governor and returned to him the nominations of Elvin Lee Caraway, to be a Member of the Agricultural Resources Protection Authority, and Fred Asmussen III, to be a Member of the Board of Directors of the Trinity River Authority.

SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

On motion of Senator Edwards and by unanimous consent, Senate Rule 14.02 was suspended in order to consider for confirmation those nominees reported today by the Committee on Nominations.

Senator Edwards moved confirmation of the nominees reported today by the Committee on Nominations.

The President asked if there were requests to sever.

There were no requests to sever.

NOMINEES CONFIRMED

The following nominees, reported today by the Committee on Nominations, were confirmed by the following vote: Yeas 26, Nays 0.

Absent-excused: Lyon, Parmer, Santiesteban, Truan, Whitmire.

Members, Texas Air Control Board: DR. CALVIN B. PARNELL, Brazos County; WILLIAM H. QUORTRUP, Collin County; WARREN H. ROBERTS, Tarrant County.

Member, State Property Tax Board: JIM N. NUGENT, Potter County.

Members, Board of Pardons and Paroles: HUBERT E. BECHTOL, Travis County; KEN CASNER, McLennan County; KENNETH N. COLEMAN, Walker County; DANIEL L. DOWNS, Harris County; FRANK CHARLES EIKENBURG, Dallas County; BENNIE L. ELMORE, Walker County; JOHN ESCOBEDO, Walker County; TROY G. FOX, Williamson County; GERALD L. GARRETT, Brazoria County; MRS. GLORIA GIBNEY, Nueces County; RON D. GIVENS, Lubbock County; DR. JAMES H. GRANBERRY, Lubbock County; HENRY B. KEENE, Dallas County; MRS. PEGGY McADAMS, Walker County; MRS. WINONA WILSON MILES, Travis County; STENNETT D. POSEY, Williamson County; DONN D. WOOLERY, Randall County; DR. ESTHER LEE YAO, Harris County.

Members, Texas Commission on Alcohol and Drug Abuse: MRS. MARY LOU PARSONS, Ector County; REV. JOE SAMUEL RATLIFF, Harris County.

Members, Texas Commission on Jail Standards: KENNETH W. ANDERSON, JR., Dallas County; JUDGE ROY ENGLISH, Tarrant County; J. DAVID NELSON, Lubbock County; MRS. FLORENCE DONALD SHAPIRO, Collin County.

Members, Board of Directors, Trinity River Authority of Texas: WILLIAM D. ELLIOTT, Dallas County; ROBERT D. HARDY, JR., Walker County; ROBERT A. ESTRADA, Dallas County; MRS. ERMA CHANSLER JOHNSON, Tarrant County; MAURICE LEE LOCKE, Liberty County; C. L. McCUISTION, JR., Kaufman County.

Members, Texas Department of Licensing and Regulation Board: MRS. MARJORIE MEYER ARSHT, Harris County; PAUL J. CORKERY, Tarrant County; MRS. JOHNNY DAVIS, Ector County; MANUEL MARRUFO, El Paso County; ACIE O. PHILLIPS, JR., Fort Bend County; EARL L. YEAKEL III, Travis County.

Members, On-Site Wastewater Treatment Research Council: DANIEL EDWARD BECKETT, Travis County; JAMES EDWARD BLACKWELL, Travis County; DR. B. L. CARLILE, Brazos County; RICHARD THOMAS FRASER, Travis County; MARK V. LOWRY, Wharton County; ROBERT L. MORRISS, Williamson County; TOM TINER, Travis County.

Member, Board of Examiners in the Fitting and Dispensing of Hearing Aids: DR. RICHARD L. RIESS, Brazos County.

Members, Educational Excellence Committee: EDWARD B. ADAMS, Travis County; MS. BRENDA F. ARNETT, Harris County; JAKE BRISBIN, JR., Presidio County; MRS. NORMA Y. CARDENAS, Hidalgo County; MRS. PATTI

CLAPP, Dallas County; JACK FIELDS, SR., Humble County; MRS. ETHEL P. JONES, Bowie County; DAVID B. KEITH, Harris County; MRS. NANCY ANN BROWN LOEFFLER, Mason County; DR. DAN FRANK LONG, Williamson County; ROGER C. MINARD, Travis County; DR. WINSTON C. POWER, JR., Dallas County; DONALD REYNOLDS, Madison County; MRS. GLENDA SMITH, Travis County; LARRY J. WARD, Dallas County.

SENATE RESOLUTION 110

Senator Parker offered the following resolution:

WHEREAS, With deep regret, employees of the Office of the Comptroller of Public Accounts bid farewell to Chief Deputy Comptroller Jack Roberts as he leaves government service for the private sector; and

WHEREAS, Since joining the agency in September, 1977, as Executive Assistant to the Comptroller, Mr. Roberts has earned an enviable reputation for his standout performance of his duties; and

WHEREAS, Appointed Chief Deputy Comptroller in March, 1983, Mr. Roberts assumed the mantle of power conscious of his responsibilities to the citizens of Texas; and

WHEREAS, This dedicated public servant is a superb administrator and brilliant forecaster; his expertise and his care and concern for the continued prosperity of the Lone Star State have enabled Texans to face a difficult economic future with confidence in their government's ability to weather fiscal uncertainty; and

WHEREAS, Highly capable of carrying out any assignment given him, Mr. Roberts has become legendary for his efficiency and industriousness; and

WHEREAS, The State of Texas has benefitted enormously from the wisdom and experience of this exemplary public official; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, 5th Called Session, hereby commend Jack Roberts for his superlative services with the Comptroller's office and extend best wishes to him for continued success in all future endeavors; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Mr. Roberts as an expression of highest esteem, respect, and admiration from the Texas Senate.

The resolution was read.

On motion of Senator Glasgow and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Parker, the resolution was adopted viva voce vote.

GUEST PRESENTED

The Senate welcomed Mr. Roberts, seated at the President's Rostrum.

At the President's request, Mr. Roberts addressed the Senate.

RECESS

On motion of Senator Brooks, the Senate at 11:21 a.m. took recess until 11:30 a.m. today.

AFTER RECESS

The Senate met at 11:30 a.m. and was called to order by the President.

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Brooks submitted the following report for the Committee on Health and Human Services:

H.B. 24**HOUSE BILL 24 ON SECOND READING**

Senator Dickson moved that Senate Rules 5.09, 7.19 and 7.25 and the Constitutional Rule requiring bills to be read on three several days be suspended to place on its second reading and passage to third reading and on its third reading and final passage:

H.B. 24, Relating to the board of directors of the Nolan County Hospital District.

The motion prevailed by the following vote: Yeas 26, Nays 0.

Absent-excused: Lyon, Parmer, Santiesteban, Truan, Whitmire.

The bill was read second time and was passed to third reading viva voce vote.

HOUSE BILL 24 ON THIRD READING

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President laid **H.B. 24** before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 26, Nays 0.

Absent-excused: Lyon, Parmer, Santiesteban, Truan, Whitmire.

RECESS AND MOTION TO ADJOURN

On motion of Senator Brooks, the Senate at 11:38 a.m. recessed, pending receipt of House message, and then agreed to adjourn until 11:00 a.m. tomorrow.

AFTER RECESS

The Senate met at 5:10 p.m. and was called to order by the President.

MESSAGE FROM THE HOUSE

House Chamber
May 29, 1990

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

Motion to pass **S.B. 1** notwithstanding the objections of the Governor failed by a record vote of 92 Ayes, 55 Nays, 0 Present-not voting.

71st Legislature, 5th Called Session has adjourned sine die pending receipt of messages and signing of bills in the presence of the House.

H.C.R. 30, Inviting President Carlos Salinas de Gortari of Mexico to address a joint session of the Senate and House.

S.C.R. 5, Declaring intent in adding Chapter 110, Title 5, Civil Practice and Remedies Code and Article 5.15-4 of Subchapter B, Chapter 5, Insurance Code to the Omnibus Health Care Rescue Act (**H.B. 18**).

S.B. 62, Relating to appropriations for the biennium ending August 31, 1991.
(As amended)

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

(Senator Sims in Chair)

BILL SIGNED

The Presiding Officer announced the signing in the presence of the Senate, after the caption had been read, the following enrolled bill:

S.B. 35 (Signed subject to Art. III,
Sec. 49a of the Constitution)

(President in Chair)

RESOLUTION SIGNED

The President announced the signing in the presence of the Senate the following enrolled resolution:

S.C.R. 11

MEMORIAL RESOLUTION

H.C.R. 29 - (Brooks): In memory of State Trooper Glen Edwin Perkins.

CONGRATULATORY RESOLUTIONS

H.C.R. 4 - (Lyon): Inviting the people of Bavaria to join Texas in a relationship of friendship and commerce.

H.C.R. 26 - (Tejeda): Declaring June 1-10 as Good Neighbor Theft Prevention Week.

S.C.R. 16 - By Brooks, Caperton: Declaring Danevang the Danish Capital of Texas.

S.R. 108 - By Tejeda: Commending Val Martinez for his deep and abiding commitment to the United States.

S.R. 109 - By Krier: Extending best wishes to all those attending the TIPRO convention for a most enjoyable and informative three days.

ADJOURNMENT

The President at 5:12 p.m. announced that the Senate would, in accordance to a previously adopted motion, stand adjourned until 11:00 a.m. tomorrow.

EIGHTH DAY

(Wednesday, May 30, 1990)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Ellis,